

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARTHUR USHERSON,

Plaintiff,

- against -

BANDSHELL ARTIST MANAGEMENT

Defendant.

Docket No. 1:19-cv-06368-JMF

DECLARATION OF REBECCA LIEBOWITZ

I, REBECCA LIEBOWITZ, declare under the penalty of perjury that the following is true and correct to the best of my personal knowledge.

1. I am an employee of Liebowitz Law Firm, PLLC (the “Firm”) and admitted to practice law in this District.

2. I am not counsel of record in this action but I have personal knowledge of the mediation that took place on October 31, 2019.

3. I submit this Declaration in opposition to Defendant Bandshell Artist Management (“Defendant”)’s motion for sanctions.

4. As a newly admitted practitioner, I attended the mediation session in order to “shadow” Mr. Freeman and learn from the process.

October 31, 2019

5. I personally attended the mediation scheduled for October 31, 2019. I attended the mediation along with James Freeman, an employee of the Firm.

6. Mr. Freeman and I arrived at the mediation room in the lower level of 40 Foley Square at about 11:46 a.m. [REDACTED], the mediator, defense counsel and defendant's representative were all present.

7. Defense counsel initially objected to proceeding with mediation because neither Mr. Liebowitz nor Mr. Usherson were present in-person.

8. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

9. [REDACTED]
[REDACTED]
[REDACTED]

10. [REDACTED]
[REDACTED]
[REDACTED]

11. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

12. [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13. I did not record the exact time I left the mediation room. However, I estimate that no more than 40-45 minutes passed from the time I entered the room until the time when the mediation was adjourned.

Dated: November 18, 2019
Valley Stream, NY

/rebeccaliebowitz/
Rebecca Liebowitz